	Application No.	Applicant(s)	
Notice of Allowability	10/030,981	UENO ET AL.	
	Examiner	Art Unit	
	Patricia L. Hailey	1755	
The MAILING DATE of this communication appeal claims being allowable, PROSECUTION ON THE MERITS IS derewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT R of the Office or upon petition by the applicant. See 37 CFR 1.313	(OR REMAINS) CLOSED in or other appropriate commits application is	n this application. It not included iunication will be mailed in due cou	ırse. THIS
 ∴ This communication is responsive to <u>a Request for Reconstruction</u>. ∴ The allowed claim(s) is/are <u>1,2,4-8 and 15-34</u>. ∴ The drawings filed on <u>16 January 2002</u> are accepted by the Acknowledgment is made of a claim for foreign priority unallocation and in the control of the: 1. ☐ Certified copies of the priority documents have 2. ☐ Certified copies of the priority documents have 	e Examiner. nder 35 U.S.C. § 119(a)-(d) e been received.	or (f).	
Copies of the certified copies of the priority do			n from the
International Bureau (PCT Rule 17.2(a)).			
* Certified copies not received: 5. Acknowledgment is made of a claim for domestic priority use reference was included in the first sentence of the specification. (a) The translation of the foreign language provisional as Acknowledgment is made of a claim for domestic priority use in the first sentence of the specification or in an Application. Applicant has THREE MONTHS FROM THE "MAILING DATE" of Delow. Failure to timely comply will result in ABANDONMENT of the specification. A SUBSTITUTE OATH OR DECLARATION must be submained in INFORMAL PATENT APPLICATION (PTO-152) which gives. B. CORRECTED DRAWINGS (as "replacement sheets") musually including changes required by the Notice of Draftspers. 1) hereto or 2) to Paper No (b) including changes required by the proposed drawing of the including changes required by the attached Examiner. Identifying indicia such as the application number (see 37 CFR deach sheet. Replacement sheet(s) should be labeled as such in the second content of the second content of the specific priority in the second content of the second conten	ation or in an Application Depolication has been received ander 35 U.S.C. §§ 120 and an Data Sheet. 37 CFR 1.78 of this communication to file this application. THIS THE inited. Note the attached Expessive reason(s) why the oath of the submitted. Son's Patent Drawing Review correction filed, while a sheet of the management of the margin according to 37 Center of the margin	ata Sheet. 37 CFR 1.78. ed. /or 121 since a specific reference of the state of the office action of Paper No. the drawings in the front (not the backer).	was included ments noted (TENDABLE. FICE OF miner.
 DEPOSIT OF and/or INFORMATION about the depondent of the dep	osit of BIOLOGICAL MA THE DEPOSIT OF BIOLOG	FERIAL must be submitted. Not GICAL MATERIAL.	e the
1☐ Notice of References Cited (PTO-892)	5☐ Notice of Ir	formal Patent Application (PTO-15	52)
 Notice of Draftperson's Patent Drawing Review (PTO-948) Information Disclosure Statements (PTO-1449 or PTO/SB/0 Paper No 	6☐ Interview S	ummary (PTO-413), Paper No	•
	8), 7□ Examiner's	Amendment/Comment	
Faper No 4☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material	8⊠ Examiner's 9∐ Other	Statement of Reasons for Allowar Mark L. Bell Supervisory Patent Examine Technology Center 1700	

U.S. Patent and Trademark Office PTOL-37 (Rev. 11-03) Application/Control Number: 10/030,981

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Applicants' Request for Reconsideration, filed on December 23, 2003, has been carefully considered.

Claims 1, 2, 4-8 and 15-34 remain pending in this application.

In the Final Rejection, claims 6-8 and 15-20 were indicated as being allowed, and claims 1, 2, 4, 5, and 21-34 were rejected under 35 U.S.C. 103(a) as being unpatentable over Degelmann et al. (U. S. Patent No. 6,103,894).

Declaration under 37 CFR 1.132

1. The Declaration under 37 CFR 1.132 filed December 23, 2003, is sufficient to overcome the rejection of claims 1, 2, 4, 5, and 21-34 under 35 U.S.C. 103(a) as being unpatentable over Degelmann et al. (U. S. Patent No. 6,103,894).

The Declaration shows that the compositions of Degelmann et al. '894 are not crystalline, like the claimed crystalline mixture solid composition. Additionally, the Declaration shows that the compositions of Degelmann et al. '894 contain 1, 1-GPS in amounts outside that respectively claimed.

Allowable Subject Matter

2. Claims 1, 2, 4-8, and 15-34 are allowed.

Reasons for Allowance

3. The following is an examiner's statement of reasons for allowance:

In addition to the 132 filed by Applicants, Applicants' arguments regarding the Degelmann et al. '894 reference are persuasive. Although Degelmann et al. '894 disclose the presence of fractions containing a mixture of 1,6-GPS and 1,1-GPS, the presence of 1,1-GPS is more than 0.01 to 1.5 wt. %, which is the amount recited in the instant claims.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patricia L. Hailey whose telephone number is (571) 272-1369. The examiner can normally be reached on Mondays-Thursdays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark L. Bell can be reached on (571) 272-1362. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272- $\frac{1200}{1200}$.

Examiner, Art Unit 1755

January 29, 2004

Supervisory Patent Examiner

Technology Center 1700